

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

Pursuant to Fed. R. Civ. P. 37(a) and Local Rule 37.1, Plaintiff CardiAQ Valve Technologies, Inc. hereby moves this Court to order Defendants Neovasc Inc. and Neovasc Tiara Inc. to produce unredacted copies of its laboratory notebooks containing entries relating to TMVI technology, the development of the Tiara device, or CardiAQ, including documents bearing the following production numbers: NEOVASC_00030344; NEOVASC_00039195; NEOVASC_00040880; NEOVASC_00123384; NEOVASC_00292442; NEOVASC_00319891; NEOVASC_00321751; NEOVASC_00329450; NEOVASC_00330505; NEOVASC_00399445-642; NEOVASC_00400237-726; NEOVASC_00400827-923; NEOVASC_00401223-231; NEOVASC_00402678-683; NEOVASC_00402855-873; NEOVASC_00403279; NEOVASC_00403722-4240; NEOVASC_00404986-996; NEOVASC_00405161-973; NEOVASC_00406080-087; NEOVASC_00406199-204; NEOVASC_00406335-534; NEOVASC_00406549-566; NEOVASC_00406575-943; NEOVASC_00408872-9408; NEOVASC_00409717-10490; NEOVASC_00410697-904.

Respectfully Submitted,
Plaintiff,

CARDIAQ VALVE TECHNOLOGIES, INC.

By Its Attorneys,
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/s/ Christy G. Lea

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CERTIFICATE OF CONFERRAL

I hereby certify that I have made a good faith effort to confer with counsel for Neovasc in an effort to secure the disclosure without court action but was not able to do so. Counsel for Neovasc failed to respond within 7 days to a request for a conference of counsel, and therefore this motion is brought pursuant to Local Rule 37.1(b).

/s/ Mark Speegle

Mark A. Speegle (admitted *pro hac vice*)

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non-registered participants on the 9th day of July, 2015.

/s/ Christy G. Lea

Christy G. Lea (admitted *pro hac vice*)

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